

EXHIBIT 3

**Excerpts of Deposition of Standing Member #1
(Redacted)**

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

3

4

5 STUDENTS FOR FAIR ADMISSIONS,)
6 INC.,)
7 Plaintiffs,)
8 v.)
9 THE UNIVERSITY OF NORTH)
10 CAROLINA AT CHAPEL HILL, et al.,)
11 Defendants.)
12)

13 Case No. 1:14-CV-954

14

15

16

17

18 THE DEPOSITION OF [REDACTED] taken on behalf
19 of the Defendants, before Suzanne G. Patterson, Registered
20 Professional Reporter and Notary Public, at the Offices of
21 North Carolina Department of Justice, 114 West Edenton
22 Street, Raleigh, North Carolina, on Wednesday, June 21,
23 2017, commencing at the hour of 9:09 a.m.

24

25

26 *** THIS TRANSCRIPT IS HIGHLY CONFIDENTIAL ***

27 *** FOR ATTORNEYS' EYES ONLY ***

28

29

1 BY MR. SCUDDER:

2 Q. Okay.

3 A. I have also -- or I might have to retract part of
4 my answer. I have also spoken with some of the lawyers
5 involved in this case.

6 Q. Sure. Don't tell me what you've spoken to them
7 about.

8 A. Of course.

9 Q. All right.

10 A. Should I name them?

11 Q. No. I assume there's a couple of them are sitting
12 here and maybe there's others as well?

13 A. Yes.

14 Q. No problem.

15 A. And that is all that I can name.

16 Q. Okay. What does Students For Fair Admissions do
17 from day-to-day?

18 A. I don't know.

19 Q. When did you first hear about the organization?

20 A. In the summer of 2014 or, I'm sorry, summer
21 of 2013.

22 Q. Okay. How'd you hear about it?

23 A. Through my father.

24 Q. Okay. What'd your father tell you about it?

25 A. He told me that -- this was, actually, I guess

1 A. Yes.

2 Q. Do you recall any other discussions with him? I
3 think the answer is no but I just want to confirm that.

4 MR. STRAWBRIDGE: Object to the form of the
5 question.

6 THE WITNESS: No.

7 BY MR. SCUDDER:

8 Q. Okay. If I said the name Corey Lou, do you
9 recognize that name at all?

10 A. No.

11 Q. Okay. So you said earlier that at some point
12 before the complaint was filed that you joined the
13 organization as a member, do you remember that?

14 A. Yes.

15 Q. Okay. What did you have to do to join as a member?

16 A. I had to provide my name and address and I had to
17 in some way share the goals of the organization.

18 Q. When you say, share the goals, meaning agree with
19 the goals? What do you mean by, share the goals?

20 A. I mean agree with the mission statement of the
21 organization in part or in whole.

22 Q. Did you have to fill out like a written
23 application?

24 A. Oh, no, nothing like that.

25 Q. Okay. And what do you remember doing to become a

1 member?

2 A. I remember giving my name and address to Edward or
3 rather he -- I remember giving my address to Edward, he had
4 my name and telling him that I would like to be a member.

5 Q. Okay. And -- but you didn't have to fill out any
6 paperwork or anything?

7 A. No.

8 Q. That's all I'm trying to get at.

9 A. No.

10 Q. Okay. At that -- at that point in time, are you
11 asked to make any kind of dues payment as a part of joining?

12 A. No, there was not.

13 Q. Have you since been asked to make a dues payment?

14 A. No.

15 Q. Presumably you haven't made a dues payment?

16 A. I have not.

17 Q. Okay. So after you did those two things, provide
18 your name and address and you said you were asked to share
19 the goals of the organization? How did that happen as part
20 of the application process?

21 A. It was not part of the application process. I
22 believe that is simply what they want from members.

23 Q. And what do you base that belief on?

24 A. From discussing the requirements with lawyers.

25 Q. Okay. After you did those things, you became a

1 member?

2 A. Yes.

3 Q. Okay. And when do you put that in time? I know
4 before the complaint but when?

5 A. I think in August or so, sometime, not long after
6 that third meeting, I believe.

7 Q. After the meeting in Washington, D.C. at the legal
8 office?

9 A. Yes.

10 Q. Is being a member, to your knowledge, require any
11 financial contributions to the organization?

12 A. Yes, now. It did not then.

13 Q. Okay. And I know you previously said you haven't
14 paid any dues, have you made any other contributions to the
15 organization? What I mean by contributions are financial
16 contributions?

17 A. No, I have not.

18 Q. Do you know whether your family has?

19 A. I do not know for sure.

20 Q. Have you ever heard of an organization named, The
21 Project on Fair Representation?

22 A. No.

23 Q. Or an organization by an acronym for that name,
24 POFR?

25 A. No.

1 marked previously as Defense Exhibit 8. And I'll let you
2 take a look at it. As you do so, I'll tell you, it's a
3 printout from that same website we were just talking about,
4 UNCnotfair.org and this is a printout of the, about, tab.
5 And why don't you just take a look at what's in that, the
6 text that's in that box there.

7 A. (Complies.) Okay.

8 Q. You've had a chance to take a look at it?

9 A. Yes.

10 Q. In looking at that, does that bring back any
11 recollection you have about this particular website,
12 UNCnotfair.org or Project Unfair Representation?

13 A. No.

14 Q. Do you think you've ever seen this before?

15 A. I have not seen it.

16 Q. Okay. You said that you thought you became a
17 member sometime before the complaint was filed but after
18 that meeting at the law office in Washington, D.C.; is that
19 right?

20 A. Yes.

21 Q. What have you had to do since becoming a member?

22 MR. STRAWBRIDGE: Object to the form of the
23 question.

24 THE WITNESS: I had to make a declaration and
25 appear here today, no other responsibilities.

1 MR. STRAWBRIDGE: Just want to clarify, Counsel,
2 you mean other than communications with counsel?

3 MR. SCUDDER: Yeah.

4 BY MR. SCUDDER:

5 Q. So other than the communications, making the
6 declaration and appearing here today?

7 A. No, I have not been involved other than that.

8 Q. Do you have any duties or responsibilities just in
9 the ordinary course per month or year as a member?

10 A. No.

11 Q. Do you have any rights that you know of as a
12 member?

13 A. The right to leave the organization.

14 Q. Okay. Any others that you can think of?

15 A. The right to vote for one of the board positions.

16 Q. And how do you know that you have that right?

17 A. Because I was told.

18 Q. By who?

19 A. By legal counsel.

20 Q. Okay. When?

21 A. Recently, like the last week or so.

22 Q. Okay. Before that point in time, did you know that
23 you had a right to vote for -- vote for any position in the
24 organization?

25 A. No.

1 A. No.

2 Q. Do you ever receive any communications from
3 Students For Fair Admissions?

4 A. Not that I know of. I probably, if they have an
5 email list, I probably get emails but I generally ignore
6 most emails unless they are of particular importance, so.

7 Q. So it -- okay. And that would have been emails, if
8 you received any, you would have ignored them?

9 A. Yes.

10 Q. How about any nonelectronic, like old-fashioned
11 letters?

12 MR. STRAWBRIDGE: Pony Express?

13 THE WITNESS: No, not that I can remember.

14 BY MR. SCUDDER:

15 Q. Okay. We talked about -- can you think of any
16 other ways that the organization may communicate with you as
17 a member?

18 A. Aside from my personally speaking with Edward Blum,
19 no.

20 Q. Do you know anybody else who's a member of Students
21 For Fair Admissions?

22 A. Yes.

23 Q. You ever spoken to those -- I'm not asking you, if
24 you have, what they said to you or what you said to them,
25 but have you ever spoken to another member of the